

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TED WILLIAMS,)	CASE NO. 4:06CV822
)	
PLAINTIFF,)	JUDGE PETER C. ECONOMUS
)	
V.)	
)	
DONALD H. RUMSFELD,)	ORDER
SECRETARY OF DEFENSE,)	
)	
DEFENDANT.)	
)	

On May 19, 2006, this Court issued an order assigning this case to Magistrate Judge George J. Limbert. (Dkt. # 6). Defendant Donald H. Rumsfeld (“Defendant”) filed a motion to dismiss or strike, or in the alternative, for summary judgment on July 31, 2006. (Dkt. # 9). Plaintiff Ted Williams (“Plaintiff”) filed two responses which may be construed by this Court as addressing Defendant’s motion. The first, styled as a “Motion to Add Records from the Original Case File” was filed on September 18, 2006. (Dkt. # 22). The second, captioned as “Basis for Civil Action and Jurisdiction pursuant to 29 C.F.R. § 1614.407,” attempts to respond to Defendant’s jurisdictional argument. (Dkt. # 21). On September 19, 2006, Magistrate Judge George J. Limbert issued a report and recommendation recommending that Plaintiff’s complaint be dismissed. (Dkt. # 20). On October 2, 2006, Defendant filed a “Response to the Report and Recommendation of Magistrate judge George J. Limbert dated September 19, 2006,” noting that Plaintiff did not file a timely response to Defendant’s motion to dismiss or for summary

judgment, nor has he filed any evidence which would create a genuine issue of material fact. (Dkt. # 22). Plaintiff did not file an objection to the Magistrate Judge's report.

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but plaintiff has failed to timely file any such objections. Therefore, the Court must assume that plaintiff is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Report and Recommendation of Magistrate Judge Limbert (Dkt. # 20) is hereby **ADOPTED**. Defendant's motion to dismiss Plaintiff's complaint for improper venue and for lack of proper jurisdiction is **GRANTED**. (Dkt. # 9). Accordingly, this action is **DISMISSED**. Furthermore, Plaintiff's "Motion to Add Records from the Original Case File" (Dkt. # 18) and "Motion Seeking Records" (Dkt. # 19) are **DENIED AS MOOT**.

IT IS SO ORDERED.

/s/ Peter C. Economus - October 12, 2006
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE